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Security Council

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6077th meeting

Tuesday, 27 January 2009, 3.15 p.m.

New York

President:	Mr. Ripert	(France)
Members:	Austria	Mr. Ebner
	Burkina Faso	Mr. Koudougou
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Dolgov
	Turkey	Mr. İlkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Wolff
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in the Middle East, including the Palestinian question

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09-22116 (E)

The meeting was called to order at 3.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): I propose, with the consent of the Council, to extend an invitation under rule 39 of the Council's provisional rules of procedure to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

It is so decided.

I invite Mr. Holmes to take a seat at the Council table.

I propose, with the consent of the Council, to extend an invitation under rule 39 of the Council's provisional rules of procedure to Ms. Karen Koning AbuZayd, Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

It is so decided.

I invite Ms. Koning AbuZayd to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear briefings by Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Ms. Karen Koning AbuZayd, Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

I now give the floor to Under-Secretary-General Holmes.

Mr. Holmes: I thank you, Mr. President, for this opportunity to brief the Council.

Let me take advantage of the presence of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to straightaway express my profound admiration for what Karen AbuZayd and her UNRWA colleagues were able to achieve in the recent fighting, during extremely difficult and dangerous circumstances.

I visited the area from 21 to 25 January to discuss the way forward with Palestinian Authority representatives, the Israeli Government and representatives of Israeli and Palestinian civil society. In Cairo I met with Mrs. Mubarak, in her capacity as President of the Egyptian Red Crescent, and with Government representatives and the League of Arab States. I visited Gaza itself five days after the ceasefire, with the Special Coordinator for the Middle East Peace Process, Mr. Robert Serry, to launch the humanitarian needs assessment. I expected a distressing situation, but was nevertheless shocked by the human suffering and destruction I saw.

According to the Palestinian Ministry of Health, whose figures have not been seriously challenged, around 1,300 Palestinians were killed and more than 5,300 were injured. Thirty-four per cent of these were children. In short, 1 out of 215 Gazans was either killed or injured during the three weeks of this conflict.

While some areas I saw were relatively untouched, in others virtually every building was destroyed or full of holes. Twenty-one thousand homes were destroyed or badly damaged altogether, according to the Palestinian Bureau of Statistics. At the height of the fighting, over 50,000 people were displaced in UNRWA structures, with tens of thousands more sheltering with families and friends. Widespread destruction was caused to Gaza's economic and civil infrastructure. I saw, for example, an entire industrial and residential area in East Jabalia that had been systematically bulldozed — an area of at least one square kilometre. One of the best schools in Gaza had been reduced to rubble and much of the Al-Quds hospital in Gaza City burned out. The International Committee of the Red Cross reports that in Jabalia between one and two thousand households are now living in the rubble of their houses. Damage to power, water, sanitation, medical, education and agricultural infrastructure was widely visible. I saw a flood of sewage coming from one bomb-damaged major pipe, forming a lake on residential and agricultural land, though thankfully this has now been fixed.

Conversations with a range of Gazans revealed the psychological trauma, as civilians cowered for three weeks with nowhere safe in Gaza and nowhere to flee to, and parents became horribly aware of their inability to protect their children.

In addition to UNRWA, I want to recognize the extraordinary efforts of Gazan medical teams and first responders and the national and international staff of other United Nations agencies, non-governmental organizations (NGOs) and the International Red Cross and Red Crescent Movement, despite tremendous risks. Thirteen local medical staff and six United Nations staff were killed. Thirty-four health facilities were damaged or destroyed. Aid workers and premises came under direct fire on far too many occasions. I saw the UNRWA compound warehouse still smouldering, and the OCHA office in the compound of the United Nations Special Coordinator for the Middle East Peace Process, where my own staff used to work, damaged beyond use.

The reckless and cynical use of civilian installations by Hamas and the indiscriminate firing of rockets against civilian populations are clear violations of international humanitarian law. However, even taking into account Israel's security concerns regarding the protection of its own civilian population, it is clear that there are major questions to be asked about the failure of the Israeli Defense Forces to protect effectively civilians and humanitarian workers in Gaza. Given the scale and nature of the damage and loss of life, there are also obvious concerns about a lack of wider respect for international humanitarian law, particularly the principles of distinction and proportionality. There must be accountability.

But it is also critical to look forward to what must be done to bring urgent relief. After eighteen months of closure, which steadily weakened health, livelihoods and infrastructure, the humanitarian situation in Gaza before 27 December last year was already very worrying. My own observation and the preliminary findings of the assessment suggest that a massive humanitarian effort is now needed in areas such as food security, nutrition, water and sanitation, shelter, essential repairs of power, roads and other basic infrastructure, rebuilding the health system, rubble removal, unexploded ordnance and psychosocial care. As only one example, 1.3 million Gazans — almost 90 per cent of the population — now need food aid.

I will launch a flash appeal on 2 February, as a prioritized plan for urgent needs. I hope that at least part of the generosity we saw during the fighting in provision of food and medical supplies and large pledges for future reconstruction can be channelled into flexible financial contributions to this multilateral appeal. But two basic conditions need to be met for us to do our work.

The first is much freer access for goods and staff. Israel allowed increased shipments of basic commodities during the fighting, and has continued this since. This is welcome. On good days, 120 truckloads of goods get into Gaza. But the normal daily requirement, including commercial traffic, is a minimum of 500. Many humanitarian workers, including most international NGOs, continue to be refused regular entry.

Moreover, returning to the kind of access restrictions which were in force before the hostilities will be neither acceptable nor workable. If aid workers continue to face rigid limits on their movement and if essential items such as construction materials, pipes, electrical wires and transformers, key equipment and spare parts continue to be effectively banned or only allowed in infrequently after endless haggling, the lives of the Gazan people cannot significantly improve. The power plant, for example, needs almost 500,000 litres of fuel per day to operate normally. Even under current arrangements, the average flow is less than half that.

We already see relief goods piling up in Egypt for lack of ready access. And the wider problems of the fragile situation were tragically illustrated today. Following an incident in south Gaza, when an Israeli patrol was attacked and a farmer killed, all Gaza crossings were shut down. That stopped today's aid shipments from going in and stranded part of our assessment team.

Commercial goods must also be allowed in, and out, and, most urgently, the cash needed for normal activity. Gazans do not want or deserve to be ever more dependent on outside aid. They must be able to work and trade, to rebuild their economy, to use their manifest skills, energy and talent and to create hope for the future, not the despair that can only breed more violence and extremism.

There are important principles at stake here too, as the Security Council itself clearly recognized in resolution 1860 (2009), which paid particular attention to the unimpeded provision and distribution of humanitarian assistance. Free and full access for goods and humanitarian staff is something for which we have battled long and hard in other contexts, such as Darfur and in Myanmar after Cyclone Nargis. Moreover, Israel has a particular responsibility as the occupying Power

in this context, because of its control of its borders with Gaza, to respect the relevant provisions of international humanitarian law. It is therefore critical that new steps are taken immediately by the Israeli authorities to move to the sustained reopening of crossing points on the basis of the 2005 Israeli-Palestinian Agreement on Movement and Access. Many countries support that. The crossings have to be opened up not because Hamas wants it or might benefit from it, but because the Gazans need it.

The Israeli Minister of Social Welfare, Mr. Herzog, who coordinates Israel's facilitation of humanitarian assistance, assured me of the Israeli Government's commitment to work with the United Nations agencies and the rest of the humanitarian community to provide emergency assistance to the people of Gaza. We have agreed to put in place new coordination arrangements to this end. However, the Minister also suggested that many categories of items capable of dual use will raise continuing security concerns.

Let me emphasize again here the unacceptability of the status quo ante, with a limited trickle of items into Gaza continuing the effective collective punishment of the civilian population, the resultant counter-productive reliance on tunnels for daily essentials and further build-up of frustration and anger. Israel's security worries are understood, but I am confident that the passage of goods can be arranged in a way that will meet reasonable security concerns.

The second condition for a successful emergency relief operation is that we be able to work effectively with the Israeli authorities, cooperate closely with the Palestinian Authority and deal practically with those in control on the ground, without any of the parties trying to exert political control over humanitarian operations. For example, Hamas must refrain from any interference with the movement or distribution of humanitarian goods. I was encouraged that Prime Minister Fayyad of the Palestinian Authority made it clear that meeting immediate needs should be kept separate from politics, and that the United Nations and its partners had a unique role to play in this respect.

Clearly the best context for the facilitation of relief and recovery activities, and the only reliable basis for long-term reconstruction, is Palestinian reconciliation, which the United Nations strongly supports, as the Secretary-General has made clear. In the meantime, the United Nations will be working closely with the Palestinian Authority in planning for longer-term recovery and reconstruction.

After my first visit to the area, I warned of the growing disconnect between the situation on the ground, particularly but not only in Gaza, and the peace process. A year later, the people of Gaza have continued to exist in what is effectively a giant open-air prison, without normality or dignity. Their lives have been put at risk recklessly by indiscriminate rocket attacks from their midst, which have also killed, injured and traumatized Israeli civilians in southern Israel. They have now endured a terrifying assault and must live with its devastating aftermath.

This is not sustainable or acceptable. It can only lead to more despair, suffering, death and destruction in the coming years, and perhaps fatally undermine the two-State solution we all seek. It must therefore be in the long-term interests of all parties, including Israel, to ease conditions for the people of Gaza by opening the crossings, facilitating the provision of assistance and allowing them to live, work and hope again.

The President (*spoke in French*): I thank Mr. Holmes for his briefing.

I now give the floor to Ms. Koning AbuZayd.

Ms. Koning AbuZayd: At the outset, I should like to thank members for their kind invitation to address them today on the humanitarian situation in Gaza. I am honoured to be the first Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to have been given that privilege. I also want to express my appreciation for the amount of attention that the Council has devoted to the Gaza conflict and its aftermath. The strong expressions of support heard from many members for the work of the United Nations on the ground have been very gratifying to all of us there.

I come to the Council from UNRWA headquarters in Gaza, where I spent the first week of the recent war and the first week after the ceasefire. I bring with me perspectives from our 60-year-old humanitarian and human development agency, whose mandate is to assist and protect a population of 4.6 million Palestine refugees in Jordan, Syria, Lebanon and the occupied Palestinian territory. I come to share with members what UNRWA and the refugees whom we serve are thinking and feeling at this time of distress. I hope I

can convey compellingly our — and their — messages to the Council this afternoon.

In my tours around Gaza since the ceasefire of 18 January, I have been deeply saddened to see what appears to have been systematic destruction to schools, universities, residential buildings, factories, shops and farms. I have observed the atmosphere of shock and sorrow among the people of Gaza. Every Gazan projects a sense of having stared death in the face.

Every Gazan has a tale of profound grief to tell. There is rage against the attackers for often failing to distinguish between military targets and civilians, and there is also resentment against the international community for having allowed first the siege and then the war to go on for so long.

Yet, my interaction with Palestinians in Gaza has also evinced their fortitude, their determination to overcome the pain of loss and their belief in the possibilities of rebuilding their lives. I hope that the international community will respond with urgency and resolve to take advantage of the opportunities to generate recovery and renewal in Gaza.

To seize those opportunities, political action is needed to create the conditions that will allow humanitarian and human development activities to have maximum impact on Palestinian lives. The priority for early recovery is to attend to basic human needs and basic rights such as education, health care and the right to work. In the simplest terms, the way forward is to help restore normal life to Gaza.

UNRWA's early-recovery activities are already under way. Two hundred thousand refugee children were assisted to return to school last Saturday, while the 50,000 displaced Palestinians who took refuge in UNRWA classrooms are being helped to rebuild their lives at home or in alternative accommodations. We have prepared a quick-response plan whose main components include restoring and strengthening primary education and primary health care; establishing emergency food aid, cash assistance and job creation programmes; repairing civilian homes and UNRWA facilities; supporting community-based organizations; providing environmental health services in alliance with municipal authorities; and offering psycho-social support to the most traumatized Gazans, including children in UNRWA schools. Surveys have shown that the majority of Gazans suffer from shock and are clinically depressed.

All of this work is made possible by the extraordinarily generous donor response to our flash appeal, including substantial pledges from the Arab world. Given UNRWA's recurrent financial shortfalls, particularly in its General Fund, those strong levels of support are most appreciated.

Beyond UNRWA's focus on refugees, a coordinated inter-agency response is central to the success of the recovery process. This will harness the varied capabilities of the United Nations system, working in partnership with the Palestinian Authority, the World Bank and donor countries. UNRWA's own approach to recovery and reconstruction is incremental, service-driven and designed to build on the substantial human development investments that the international community has made in Gaza over the years. We consider that approach the most effective route to making normal life possible for Palestinians in Gaza. The surest path to calm and stability is the creation of social and economic conditions in which Palestinians can sustain themselves and their families in dignity.

There are challenges, however, that go well beyond the humanitarian realm; they lie in the province of political action. For that reason, it is on the Security Council and its members that part of the burden of restoring normalcy to Gaza rests. That burden is a heavy one, but it is far from insurmountable if we act in concert in the following well-known areas.

First, law and order needs to be re-established in Gaza. That will permit the identification of reliable local interlocutors to ensure security for humanitarian personnel and operations and an environment that safeguards the protection of civilians.

Secondly, all of Gaza's borders — including those at Karni, Sofa, Nahal Oz, Kerem Shalom, Erez and Rafah — must be opened and kept open continuously to allow two-way freedom of movement for people, goods and cash.

Thirdly, negotiations to end the occupation and peacefully resolve the Israeli-Palestinian conflict are now more vital than ever — negotiations that are inclusive and balanced, allow for refugee representation and address, along with other final status matters, the question of Palestine refugees in a manner consistent with their rights.

Fourthly, moves to investigate apparent contraventions of international law, including direct attacks on United Nations personnel and facilities —

such as UNRWA's own headquarters, five of its schools and the Office of the United Nations Special Coordinator for the Middle East Peace Process — and accountability under law where breaches are established, must be pursued.

And finally, none of these is achievable without reconciliation among Palestinians and restoration of the integrity of the occupied Palestinian territory.

From UNRWA's operational vantage point, addressing these issues is fundamental to the success of early recovery and human development work. Recovery requires the free flow of humanitarian and commercial supplies. Reconstruction demands open borders that permit the importation of construction materials and the export of products and goods from Gaza. Job creation programmes will be fruitless without a self-sustaining employment market. And our plans to strengthen primary education will be undermined if we fail to offer the children of Gaza a horizon of hope for a future free from fear, free from poverty and full of promise.

Throughout these days of violence, the humanitarian work of the United Nations persevered, illustrating in concrete and often heroic ways commitment to the principles of humanity on which the United Nations Charter is based. UNRWA staff ran the gauntlet of shelling, aerial bombardments and small-arms fire to attend to the injured and to deliver food and fuel to hospitals, municipalities and the people of Gaza. It is a matter of deep regret that four UNRWA staff — two of them while on duty — lost their lives in this conflict. The United Nations can be proud, as I am proud, that during the conflict, courage and dedication to service — hallmarks of UNRWA staff performance for six decades — were very much in evidence.

As to the broader implications of the recent experience in Gaza, it is worth recalling that for more than 60 years the Security Council has wrestled with the issues of Palestinians and Palestine refugees as classic questions of international peace and security. What we witnessed in Gaza seared the global conscience with harrowing images of broken bodies and shattered homes, of thousands of Palestinian and tens of Israeli civilians — men, women and children — wounded, dying and fleeing from indiscriminate violence. The guns have fallen silent, but the images linger, reminding us of the futility of seeking military solutions to political problems and the perils of political inaction.

Those images and the human suffering they represent are a result of our failure to protect those who have no part and no stake in armed conflict. And I am afraid that this war will be remembered for the absence of restraint among the combatants and for the disregard for principles of humanity and the sanctity of human life.

Equally disturbing is that, besides the devastating impact on civilian lives and infrastructure, the conflict has placed in further jeopardy the authority of international law in the Middle East. It has raised hard questions about the ability of the community of States to be effective in its role as the custodian of international legality in this particular regional context.

Finally, there are the ultimate challenges highlighted by this conflict, namely, the need to tackle the long-unfinished business of ensuring a just and lasting solution to the plight of Palestine refugees and to redouble efforts to establish a viable Palestinian State, living in peace and security with Israel.

We in UNRWA will persist in our devotion to the service of Palestine refugees. We will continue to discharge our mandate in a manner that promotes the inherent dignity and worth of the Palestinians we serve.

Yet that dignity and worth are not ours alone to promote. Palestinians and Palestine refugees are assured of UNRWA's help, but their greater need is to have the demonstrated support of the international community, as represented by the Security Council. In the months to come, as we build on the fragile ceasefire achieved following the passage of resolution 1860 (2009), continued engagement by the Security Council will be of utmost importance.

UNRWA appeals to the Council as the body that sits at the pinnacle of multilateral power, to exercise its authority in ways that transform into reality the shared dream of both Israelis and Palestinians for a secure, peaceful and prosperous tomorrow.

The President (*spoke in French*): I thank the Commissioner-General for her briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.40 p.m.